

**IVINS  
CITY COUNCIL  
MINUTES  
April 7, 2016**

**1) WELCOME AND CALL TO ORDER**

**MAYOR AND COUNCIL:** The meeting was called to order at 5:30 p.m. and announced there was a quorum present.

All present included Mayor Hart, Council Member Mehr, Council Member McDonald, Council Member Johnson, Council Member Roberts, and City Recorder Kari Jimenez.

**STAFF:** Dale Coulam City Manager/Attorney, Parks and Recreation Director Benny Sorensen, Public Safety Director Bob Flowers, Public Works Director/City Engineer Chuck Gillette, and Director of Finance Wally Ritchie.

**EXCUSED:** Council Member Densley

**Audience:** Merry Kay Naylor, Jonathan Naylor, Lisa Rutherford, Jenni Heiner, Tanner Heiner, Delores Osborn and others who did not sign in.

**A. Acknowledgement of Quorum**

**Mayor Hart** acknowledged there was a quorum present and stated that Council Member Densley was excused.

**B. Flag Salute**

**Council Member McDonald** led the Flag Salute

**C. Invocation**

**Council Member McDonald** led the Invocation

**D. Disclosures**

There were no disclosures or conflicts of interest with items on this meeting's agenda.

**2) REPORTS, PRESENTATIONS AND APPOINTMENTS**

**A. Potential Balloon Festival in Ivins in association with Ironman - Kevin Lewis**

**Mayor Hart** introduced Washington County Sports and Outdoor Recreation Director Kevin Lewis and stated that the Ironman route has been changed and now extends through Ivins on Center Street to 400 West. When the Ironman was a full Ironman, it went past UNITY Park in Ivins and Ivins held a Fitness Festival. **Kevin Lewis** indicated that the concept of a balloon festival came to mind. He spoke with some balloonists who were willing to pull something together for this year's Ironman but realized there wasn't enough time since the Ironman is next month. He suggested creating an annual event that is an Ivins signature event around the time of the Ironman. He would like the City Council to brainstorm and have discussions regarding this. **Mayor Hart** commented that it would take a large piece of land that's not subject to fire. **Kevin Lewis** agreed and stated that UNITY Park would be the best location. It is located a few blocks away from the Ironman route although the City may be able to incorporate the Tuacahn Saturday Market as part of the balloon festival for that one Saturday a year. He thought it would be a good idea to do a test run. **Mayor Hart** inquired if a permit would be required. **Dale Coulam** indicated that it depends on the scale but if they were to test three (3) to four (4) balloons, the City could likely accommodate that at UNITY Park. If it were to be a full scale festival, it will take time to get it on the schedule for next year. Weather permitting, it could be a good test this year on the day of Ironman. **Benny Sorensen** stated that his only concern was for the 30 to 40 foot light poles at UNITY Park. **Dale Coulam** suggested that the balloonists come look at the site and evaluate that. The City Council agreed that a test should be done and then discuss this on a future agenda. **Kevin Lewis** indicated that he will extend the invitation to a couple of the balloonists.

B. Southern Utah Bicycle Alliance - Craig Shanklin

**Craig Shanklin** is President of the Southern Utah Bicycle Alliance (SUBA) and a resident of Ivins City. They are a 501(c)(3) non-profit focused on building a cycling community, encouraging people to use their bicycle as an occasional alternative to their vehicle, making provisions for kids to ride their bicycles to school, ensuring the roads are safe for all cyclists, ensure that cyclists are following the rules and a whole range of activities where their organization is involved with. He referred to the engineering aspect of their effort to create safe and convenient places to ride. SUBA has been involved with several projects, one being removal of the large speed bumps in Snow Canyon State Park and installation of smaller speed bumps. SUBA supports Mayor Hart and the Snow Canyon Executive Committee in their efforts to replace the current road in Snow Canyon State Park. He referred to a bike trail in Ivins where Ivins City Staff and SUBA worked to mitigate a safety issue. He thanked the City Engineer and the Public Works department for that. He thanked the Mayor and City Council for all of their support and as an offset to fixing the trail safety issue, presented the City with a check for \$1,000.

C. Department Reports: Parks and Recreation & Public Safety

Parks and Rec Report

**Benny Sorensen** provided a written report to the Mayor and City Council. A copy of the report is available by request through Ivins City Hall. He reported that there have been several baseball and softball tournaments held in Ivins. The Red Mountain 50/30K, Dirty Hurty Half Marathon and Shamrock run were held in Ivins in March. The Easter egg hunt was cold and windy but participation was still high. Ivins Soccer League started on March 22, 2016 and they have 905 participants. There were two burials in March and the splash pad will remain closed until May 24, 2016. **Mayor Hart** referred to the Easter egg hunt and suggested photographing or videotaping that with a drone. Benny Sorensen stated the City did that one year with the Fire Department ladder truck.

**Bob Flowers** reported that there have been some administrative changes in their office. The Fire Department responded to a couple of house fires and the owners were pleased with their service. Ivins City recently entered into a Memorandum of Understanding with Santa Clara City regarding responding to those calls where Ivins City automatically responds. The animal shelter project that INKAS (Ivins No Kill Animal Supporters) is paying for is approximately 75% complete. The Public Safety Department has been extremely busy in Ivins on the weekends. They are enforcing speed limits and using speed trailers and other officers for that.

**Chief Flowers** recognized SCI (Santa Clara Ivins) Law Enforcement Officer Todd O'bray as Officer of the year. He stated that Officer O'bray was nominated by his peers for that recognition. **Officer Todd O'bray** was present with his friends and family and thanked everyone for their support. **Mayor Hart** indicated that the City is proud of and confident in all that the Police Department does. They care about the community and want to see it safe. SCI has been so far ahead of the game for so long with several things and referenced body worn cameras that was addressed at the Legislature this year. SCI has been using body worn cameras for a few years now. He congratulated Bob Flowers as the Director of SCI and commended SCI.

**Mayor Hart** recognized the scouts in the audience. **Vance Anderson** spoke on behalf of the group and stated they are Troop number 150. He moved to Ivins six (6) months ago from California and indicated Ivins is a much better community and the best place in the world.

D. Planning Commission Report

**Chairperson Loris** reported that the Planning Commission held a Public Hearing regarding the Transportation Master Plan as an element of the Ivins City General Plan. They recommended approval of that and the City Council will hear that later in the meeting. They approved a Final Plat for the Indigo Trails subdivision as well as Phase

XI-M of the Taviawk subdivision. They began discussing in detail a draft of the RV resort ordinance and will continue to work on that ordinance.

### **3) CITIZEN COMMENT & REQUEST FOR FUTURE AGENDA ITEMS**

**Edward Dienes** submitted a request and stated that he is trying to have solar placed on his home but the HOA (Home Owners Association) has turned him down several times on the basis that nothing reflective can be placed on the roofs. He would like the City Council to help people in the same situation by adopting Utah Code 10-9a-610 which would allow the City Council as the Land Use Authority to refuse to approve or renew any plat, subdivision plan, or dedication of any street or other ground, if deed restrictions, covenants, or similar binding agreements running with the land for the lots or parcels covered by the plat or subdivision prohibit or have the effect of prohibiting reasonably sited and designed solar collectors, clotheslines, or other energy devices based on renewable resources from being installed on buildings erected on lots or parcels covered by the plat or subdivision.

**Mayor Hart** indicated this is an issue that is being faced across the country and would like to see it on a future City Council agenda. The other Council Members agreed. **Dale Coulam** clarified that the referenced code section would relate only to future developments and would not provide relief for Mr. Dienes situation. Representative Lowry Snow introduced a bill that would have addressed HOA's specifically but it didn't go anywhere except to a House file.

### **4) PUBLIC HEARING AND ACTION ITEMS**

#### **A. Public Hearing on a proposed amendment to the Transportation Master Plan, an element of the Ivins City General Plan**

**Dale Coulam** indicated that the City Council previously approved this in December of 2015 which was an informal approval to allow it to go forward to the Impact Fee stage.

**Chuck Gillette** provided a PowerPoint presentation summarizing the updates. The updates included traffic counts and accident data, population projections, incorporating past amendments, revising important figures and updating the Transportation Improvement Plan. **Council Member Mehr** inquired when the traffic counts were taken for Puerto Drive. **Chuck Gillette** stated in 2015 and prior to the opening of the Harmon's Grocery store opening although he has traffic data since then for that intersection and there was only a 5-10 percent increase, which wasn't too significant.

Some of the data could be flawed because the City knows that some of the traffic that used to take Highway 91 has shifted onto Center Street because of the construction on Highway 91. **Mayor Hart** referred to previous discussions regarding renaming a portion of Center Street and suggested that it remain Center Street as well as Snow Canyon Parkway on signage. **Mayor Hart** opened the Public Hearing. There being no comments, **Mayor Hart** closed the Public Hearing.

#### **B. Discuss and consider approval of Ordinance No. 2016-10, an Ordinance of Ivins City, Utah, approving the Transportation Master Plan Update as an element of the Ivins City General Plan**

Transportation Master Plan

Presentation

Ordinance

**Council Member Mehr** indicated that Chuck Gillette had done a great job and he had no questions. **Council Member Roberts** referred to the preference for a roundabout rather than street lighting and noticed that a roundabout is three (3) times more costly than lights and inquired if there are any other traffic control lights that do not hang over the center that are effective and safe and wouldn't produce as much light pollution as the standard traffic lights. **Chuck Gillette** stated he's seen them but would have to do some research to see if they are legal in Utah. The City hired a consultant that specialized in roundabouts and the consultant looked at a cost benefit analysis and part of that analysis considered maintenance costs on signals because of the power and the

requirement to maintain coordinated signals. The majority of the expense for roundabouts is acquiring right-of-way. Roundabouts reduce fatalities and significant accidents and are seen as a community benefit. **The Mayor and City Council** discussed renaming and naming of streets and agreed with including the name of Snow Canyon Parkway on signage for Center Street. They referred to the example of 200 East which was named Red Mountain Boulevard and determined that if it makes it more simple to navigate through the City that could be done and the signage would include both names with the main name in big letters and the coordinates in smaller letters.

**MOTION: Council Member Mehr moved to approve the Transportation Master Plan with the incorporated amendments, including the Snow Canyon Parkway designation of Center Street**

**SECOND: Council Member McDonald**

**VOTE: The motion carried.**

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	ABSENT

Roll call vote. All Council Members who were present voted in favor.

C. (The Public Hearing regarding Transportation Impact Fees will take place on April 21, 2016)

**Mayor Hart** stated that the Public Hearing regarding the Transportation Impact Fees will be held at the City Council on April 21, 2016.

**Dale Coulam** requested a motion to suspend the rules for agenda items 5)B and 5)D up ahead of agenda items 5)A and 5)C.

**MOTION: Council Member Roberts moved to suspend the rules and move items 5)B and 5)D above A**

**SECOND: Council Member Johnson**

**VOTE: The motion carried.**

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	ABSENT

## **5) DISCUSSION AND POTENTIAL ACTION ITEMS**

- B. Discuss and consider approval of Resolution No. 2016-08R, a Resolution of Ivins City, Utah, finalizing the terms and conditions of the issuance and sale by the issuer of its Storm and Waste Water Revenue and Refunding Bonds Series 2016; and related matters Resolution

**Wally Ritchie** indicated this is the final Bond Resolution for the Storm Water Revenue Bond and Jon Bronson with Zions Bank and Blake Wade from Ballard Spahr were present. The bond pricing was done yesterday and was very favorable. **Jon Bronson** is a Financial Advisor with Zions Bank. He provided the Mayor and City Council with a booklet of information related to the bonds, a copy of which is available by request through Ivins City Hall. The Purpose of the Bond Issue is to refund for savings all of the City's Series 2007 Storm Water Revenue Bonds and to provide an additional \$1.3 million for new storm drain and waste water projects in the City. The 2016 Bonds are secured by a pledge of the net revenues from the combined storm and waste water systems of the City. The savings will be \$322,359.38. **Council Member**

**Mehr** inquired why the decision was made to use an insurance policy rather than a reserve fund this time. **Dale Coulam** stated that it would be like paying cash twice for a home. The City simply doesn't have that kind of cash to set aside, without cutting services. It is much cheaper to simply buy an insurance policy like homeowners do. Mayor Hart felt like this bond has been handled well and is in good hands. **Council Member Roberts** indicated that the Council discussed this at previous City Council meetings as well and his questions have been answered.

**MOTION: Council Member Roberts moved to approve Resolution No. 2016-08R, a Resolution of Ivins City, Utah, finalizing the terms and conditions of the issuance and sale by the issuer of its Storm and Waste Water Revenue and Refunding Bonds Series 2016; and related matters**

**SECOND: Council Member Mehr**

**VOTE: The motion carried.**

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	ABSENT

Roll call vote. All Council Members that were present voted in favor.

- D. Review and discuss the proposed Tentative Budget

**Wally Ritchie** provided a PowerPoint presentation to the Mayor and City Council. A copy is available by request through Ivins City Hall. He provided a budget binder to the Mayor and City Council for them to review the contents for upcoming discussions at City Council. The budget is balanced with no property tax increase, no rate increase, no free increase and staffing and service levels are maintained.

**Mayor Hart** inquired if there were any other bonds the City should look at refunding.

**Wally Ritchie** indicated there were not because of the time frames associated with the bonds and the other bonds currently have good interest rates. **Council Member Mehr** inquired if there has been difficulty with staff regarding no increases. **Wally Ritchie** clarified there has not and that Ivins has a fairly unique situation with the Department Heads because there's good communication. They're informed and see what the City is trying to do and don't ask for things that aren't necessary. There's a comfort level there

that when they ask for something, there's truly a need. **Mayor Hart** referred to the shared cost of equipment with Santa Clara. **Wally Ritchie** stated that both cities see benefit of that. He asked that the Mayor or City Council Members contact him if they have questions.

- A. Discuss and consider changes to and approval of Ordinance No. 2016-02, an Ordinance of Ivins City, Utah, amending text of the Ivins City Subdivision Ordinance  
Ordinance - marked version  
Ordinance - final version

**Dale Coulam** indicated that the redline document that he provided to the Mayor and City Council, as well as the final document as recommended by the Planning Commission, have been available on Ivins' website through the Planning Commission meetings and he and Kevin met with the individual who expressed concerns at the previous City Council meeting about documents being available for review.

**MOTION: Council Member Mehr moved to approve Ordinance No. 2016-02, an Ordinance of Ivins City, Utah, amending text of the Ivins City Subdivision Ordinance**

**SECOND: Council Member Johnson**

**VOTE: The motion carried.**

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	ABSENT

Roll call vote. All Council Members that were present voted in favor.

- C. Discuss and consider approval of Resolution No. 2016-09R, a Resolution of Ivins City, Utah, supporting House Bill 362 (2015) regarding an authorized 0.25% local option general sales tax dedicated to transportation and encouraging Washington County to submit the proposal to voters in November 2016 and encouraging voters to support the proposal

Resolution

**Mayor Hart** stated this has come forward following the monthly Mayor's meeting. There's a lot of information that needs to get out as to why this is needed and the benefits to the community. He would Dale Coulam to work with Chuck Gillette to illustrate the projects that can be done if this is passed or won't be done if it doesn't pass. This Resolution is something the Council supported last year but the County did not put it on the ballot. **Council Member McDonald** doesn't like the idea of raising taxes but understands the need for this and if it goes on the ballot, the residents of the county will vote and say whether or not they want it. **Council Member**

**Roberts** provided a written amendment to the Resolution that he would like the Mayor and City Council to consider. A copy of the amendment is available by request through Ivins City Hall. His amendment removed Section 1 in its entirety and removed verbiage in Section 3. **Mayor Hart** did not have a problem with changes. **Council Member Mehr** inquired if the Resolution was something drafted for every City to adopt. **Dale Coulam** stated it was a template provided by the Utah League of Cities and Towns. **Council Member Mehr** suggested that the "Whereas" clauses that reference data related to asthma, diabetes and obesity be deleted because depending on what

source that is looked at, the data changes. **Mayor Hart** was ok with deleting those two "Whereas" clauses. **Council Member Mehr** referred to the following web page that he located on the Utah.gov home page with questions and answers related to this House Bill. The web page address is: <http://utah.gov/pmn/files/164969.pdf>

**MOTION:** Council Member Roberts moved to approve Resolution No. 2016-09R, with the written amendments and the whereas amendments as stated by Council Member Mehr, a Resolution of Ivins City, Utah, supporting House Bill 362 (2015) regarding an authorized 0.25% local option general sales tax dedicated to transportation and encouraging Washington County to submit the proposal to voters in November 2016 and provide information to the voters as to the consequences

**SECOND:** Council Member McDonald

**VOTE:** The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	ABSENT

**6) CONSENT AGENDA**

- A. Approval of expenditure for streets pavement maintenance  
Streets pavement maintenance
- B. Approval of expenditure for design of Ivins Reservoir Parking and Entrance project  
Ivins Reservoir expenditure
- C. Approval of City Council Meeting Minutes for March 17, 2016

**MOTION:** Council Member Johnson moved to approve the Consent Agenda

**SECOND:** Council Member Mehr

**VOTE:** The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	ABSENT

**7) CONSENT AGENDA ITEMS FOR DISCUSSION**

**8) REPORTS**

A. Council

**Council Member Mehr** did not have a report but referred to the SunTran bus continuing to go through the Heritage Estates subdivision but acknowledged the drivers are now slowing down. **Dale Coulam** indicated that Council Member Densley was going to talk to Fred Davies at the City of St. George about it and should have a report next meeting. He and Chief Flowers and others have confirmed that buses are now traveling around 20 mph. It's his understanding that they're going through that subdivision because of the construction on Highway 91 and want some stability to their schedule.

**Council Member McDonald** requested that the City email a signed copy of the Resolution appointing him to the Southwest Mosquito Abatement and Control District board. They would also like information relating to him attending the open meetings training. The information was sent to them in February but they are unable to locate it. The City Recorder will resend the information.

**Council Member Johnson** did not have a report but indicated she attended the Utah League of Cities and Towns training this week in St. George and stated it was a fantastic opportunity. She encouraged anyone that can, to attend.

**Council Member Roberts** inquired as to the status on the statue for the roundabout on Center Street and Snow Canyon Parkway. **Mayor Hart** stated he was in a meeting attended by Cherrie Stoddard and she relayed that she had been told it would be done sometime in June of 2016.

B. Mayor

**Mayor Hart** referred to the Utah League of Cities and Towns training that he also attended. He encouraged the City Council members to figure out a way to block out time to attend because there is a lot of educational information provided. An invitation has been extended to him by the Washington County Conservancy District to fly to Colorado Springs to look at a pipeline project that has been accomplished there and has been successful. It was done on time and under budget.

C. City Manager/Attorney Dale Coulam

No report

D. Items to be placed on future agendas

9) CLOSED MEETING

10) ADJOURNMENT

**MOTION:** Council Member McDonald moved to adjourn

**SECOND:** Council Member Mehr

**VOTE:** The motion carried.

Council Member Mehr	AYE
Council Member McDonald	AYE
Council Member Johnson	AYE
Council Member Roberts	AYE
Council Member Densley	ABSENT

The meeting adjourned at 8:20 p.m.

